Serial No.: 10/057,736

4

REMARKS

This Amendment is responsive to the Office Action mailed on December 22, 2003. Applicant's undersigned attorney would like to thank the examiner for the courteous and productive telephone interview held on March 10, 2004. The amendments presented herein and the discussion below summarize the substance of the interview. As indicated on the Interview Summary form PTOL-413, differences between the instant application and the prior art of record were discussed, together with proposed amendments. The examiner has agreed to review and give further consideration to the present amendment.

Claims 1-2 and 4-6 stand rejected under 35 U.S.C. 103(a) as being obvious over Blumstock et al. (U.S. 5,004,106) in view of Bond et al. (U.S. 6,051,186). Claims 1-21 stand rejected as being obvious over Stone et al. (U.S. 5,732,821) in view of Baker (U.S. 6,077,485). Applicant respectfully traverses these rejections in view of the foregoing amendments and the comments which follow. As the subject matter introduced into amended claim 1 has been taken from now cancelled claims 7-9 and/or is clearly indicated in the drawings, no new issues are believed to be raised that would require further search. Accordingly, entry of this Amendment and allowance of the amended claims is respectfully requested.

Claim 1 now recites that filter openings are provided in the separate chambers of the sterile container, and that a single sterile filter is provided for covering the filter openings for several of the chambers. No such structure is disclosed or suggested by the prior art of record. While Stone et al. discloses filtered apertures 204 for the case 11 (col. 4 lines 28-30), and Baker discloses flow-through holes 31 in the lid assembly (col. 4, lines 28-30), neither reference discloses or suggests the provision of filter openings in different chambers of the container, with a single filter for covering the filter openings for several of the chambers. Nor, would there be any motivation for one skilled in the art to combine Stone et al. or Baker with any of the other references of record to arrive at a structure as claimed by Applicant. Any such combination would merely result in the provision of one or more filter assemblies in the lid or base of a container, and not a single filter that covers filter openings provided in each of several separate

BEST AVAILABLE COP

Serial No.: 10/057,736

هـ

chambers formed by intermediate walls of the container. Thus, Applicant's amended claims cannot be said to be obvious in view of the prior art.

Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the amended claims and the above discussion. Applicant's silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

In view of the above, the Examiner is respectfully requested to reconsider this application, enter the present amendment, and allow each of the presently pending claims. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicant's undersigned attorney.

Respectfully submitted,

Barry R. Lipsitz

Attorney for Applicant(s)
Registration No. 28,637
Law Office of Barry R. Lipsitz

755 Main Street Monroe, CT 06468 (203) 459-0200

Attorney Docket No.: HOE-675 Date: March 15, 2004